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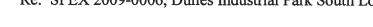
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October 9, 2009

By Email and Hand Delivery

Marchant Schneider, Project Manager Loudoun County Department of Planning 1 Harrison Street, S.E., 3rd Floor Leesburg, VA 20177-7000

Re: SPEX 2009-0006, Dulles Industrial Park South Lot 1





Dear Mr. Schneider:

The following are the Applicant's responses to the referral agency comments received in connection with the above-referenced Special Exception Application. The comments are on the pages indicated below:

	Referral Agency Page
1.	Loudoun County Health Department
	Memorandum dated May 4, 20092
2.	Department of General Services
	Email dated May 11, 2009
3.	Zoning Administration, Department of Building and Development
	Memorandum dated May 15, 2009
4.	Loudoun County Community Planning
	Memorandum dated May 21, 2009
5.	Metropolitan Washington Airports Authority
	Letter dated May 22, 2009
6.	Office of Transportation Services
	Memorandum dated May 26, 2009
7.	Department of Fire, Rescue and Emergency Management
	Memorandum dated May 27, 2009
8.	Virginia Department of Transportation
	Letter dated June 2, 2009

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Loudoun County Health Department Memorandum dated May 4, 2009 from Crystal M. Crampton, Sr. Env. Health Specialist

This Department reviewed the plat, submitted by William H. Gordon Associates, Inc. revised 3/31/09, and recommends denial for the following reasons:

COMMENT 1. The existing well on the property is not shown on the plat. **RESPONSE:** The existing well is now shown on the revised plat, submitted herewith. The Applicant notes that water and sanitary sewer mains, including service connections to the site, were just constructed, and the well may therefore be abandoned in the future.

COMMENT 2. The pump and haul tanks are labeled on the plat as D/W (existing drain / well location). They should be labeled as pump and haul tanks.

RESPONSE: The pump and haul tanks are now properly labeled on the revised plat, submitted herewith. The Applicant notes that water and sanitary sewer mains, including service connections to the site, were just constructed, and the pump and haul tanks will no longer be necessary once connection is made.

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Department of General Services Email dated May 11, 2009 from Boyd Church

COMMENT. The Dept. of General Services has reviewed the above referenced project. DGS will review and comment on any stormwater management structures that may be required when it is in the development review stage.

RESPONSE: No response required.

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Zoning Administration, Department of Building and Development Memorandum dated May 15, 2009 from Nita Bearer, Planner

Application Summary

Zoning staff has reviewed the above-referenced special exception application for conformance with the <u>Revised 1993 Loudoun County Zoning Ordinance</u>. The parcel is zoned Mineral Resource-Heavy Industry (MR-HI) and is located within the Ldn contour of the Airport Impact Overlay District.

The materials submitted for review of the application consist of the following:

- 1. Information Sheet
- 2. Statement of Justification
- 3. Special Exception Plat dated February 3, 2009

Zoning Comments

COMMENT 1. In order to determine whether there is sufficient space within the special exception area for the proposed tanks as well as the delivery/loading area, label these areas on the plat and provide the dimensions of the special exception area.

RESPONSE: The requested information is now shown on the revised plat, submitted herewith.

COMMENT 2. Pursuant to Section 3-1005(E), no structure or use shall be located within 50' from any property line. The driveway illustrated on the northwest side of the special exception area must be relocated. Clarify how the special exception area will be accessed.

RESPONSE: The requested information and relocated driveway is now shown on the revised plat, submitted herewith.

COMMENT 3. Clarify whether the pick-up/delivery trucks will be parked on site when not in use. According to Section 5-1102(A)(4), one parking space shall be required for each commercial vehicle which is directly associated with permitted and special exception uses, and which is to be parked on the premises during normal business hours.

RESPONSE: No propane trucks will be parked on site. They will arrive onsite during normal business hours, refill their tanks, and immediately depart.

COMMENT 4. Pursuant to the Countywide Transportation Plan, the ultimate condition of Wade Drive (Rt. 873) will be a major collector road, requiring a 70' ROW. According to the plat, a 60' ROW currently exists. Section 5-900(A)(10) requires that all building and parking setbacks be measured from the existing or planned rights-of-way,

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whichever is greater. Measure the 75' building and 35' parking setbacks from 35' from the centerline of Wade Drive to accommodate a 70' right-of-way.

RESPONSE: The requested information and relocated setbacks is now shown on the revised plat, submitted herewith. The Applicant has generously agreed to grant the county a 5' dedication of its property along Wade Drive to accommodate the Countywide Transportation Plan.

COMMENT 5. Please not that, pursuant to Section 5-1303, a tree canopy of 10% at maturity of ten years shall be provided for development within the MR-HI zoning district. At the time of site plan review, the applicant must verify compliance with this section.

RESPONSE: No response required at this time. The tree canopy will be addressed at site plan application and review.

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Loudoun County Community Planning Memorandum dated May 21, 2009 from Sarah Milin, Senior Planner

LAND USE

COMMENT: The Revised General Plan intends that areas planned for Industrial uses will accommodate the continued operation and expansion of major industrial uses in the County and provide a degree of protection for industrial uses from other land uses. Primary land uses in these industrial areas are General Industry and Heavy Industry (Revised General Plan, Chapter 6, General Industrial text). The County requires industrial uses provide adequate buffers and protection to mitigate negative impacts on surrounding uses (Revised General Plan, Chapter 6, General Industrial text). Plan policies also require all developments to take into consideration elements of the County's Green Infrastructure, which includes natural, cultural, heritage, environmental, protected, passive, and active resources (Revised General Plan, Chapter 5, Green Infrastructure Policy 1). In the Route 50 corridor, the County supports industrial uses as the preferred use in designated industrial communities (Arcola Area/Route 50 Corridor Plan, General Industrial Policies 3 and 4).

The submitted Special Exception application proposes an industrial use, specifically the bulk storage and commercial distribution of propane gas, on a property planned for Industrial uses and surrounded by other existing heavy industrial uses. The subject property currently contains an air compressor rental company and a landscaping company. Other properties in the site's immediate vicinity have been developed with a variety of heavy, light, and flex industrial uses, including several landscaping and composting companies, a crane service company, an irrigation supply company, large construction equipment and vehicle/truck storage companies, a concrete company, and a recycling and processing waste company. As such, the use of the subject site for the proposed propane storage and distribution facility appears to be in conformance with the Plan's vision for Industrial areas and is generally compatible with the surrounding industrial uses that currently exist in the area today.

Conditions of approval should be developed to ensure that any potential negative impacts that are generated by the proposed facility on either surrounding uses or the environment will be avoided, minimized or mitigated. Staff notes that the Statement of Justification states that the proposed facility will have effective fire control measures and will adequately provide for safety from fire hazards; will only generate noise when the pumps are running, e.g. during business hours (Monday through Friday, 7:30 am to 5:00 pm); and additional lighting will not be needed. It also references the use of precast concrete piers with reinforcement as needed to support the propane storage tanks; a 6-foot high security fence around the tanks and piping; the use of a propane odorant for detection of a potential leak; and a remote emergency shut-off station between 100 and 255 feet from the tanks. With the exception of a chainlink fence and the evergreen tree

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buffer/screen, the Special Exception plat does not commit to these measures which could help ensure public and environmental safety. Appropriate conditions of approval could include the following:

- The propane storage tanks will be supported by precast, reinforced concrete piers;
- A minimum 6-foot high chainlink fence will be provided and maintained around the propane tanks and piping in order to prevent trespassing and tampering;
- The propane stored on the property will contain an odorant to detect potential leaks;
- A remote emergency shut-off station will be provided between 100 and 255 feet from the tanks in case a leak is detected;
- The pumps will run only during business hours (Monday through Friday from 7:30 am to 5:00 pm);
- No additional lighting will be provided on the subject site for the proposed use;
 and.
- The proposed propane tanks will be painted light, reflective colors for both safety and appearance purposes.

In order to help determine whether additional conditions are appropriate, staff requests that the Applicant provide more specific information regarding applicable federal, state, or other requirements that regulate propane storage facilities, for example whether bulk storage tanks need to be constructed of steel; how much distance each storage tank needs to be from other tanks, buildings, and property lines; etc.

Staff finds that the proposed propane storage and distribution facility is in conformance with the Industrial land use policies of the <u>Revised General Plan</u>. Staff recommends that appropriate conditions of approval be developed to ensure that potential negative impacts will be avoided, minimized or mitigated. To help staff with this analysis, the Applicant should provide information regarding federal, state and/or other regulations pertaining to propane storage and distribution facilities.

Staff defers to the Department of Fire and Rescue regarding fire safety at the proposed site. However, it may be appropriate to develop an emergency action plan in case of a propane leak, explosion or other emergency situation.

RESPONSE: The Applicant acknowledges Staff's comments. The proposed conditions for approval listed above are now shown on the revised plat, submitted herewith.

AmeriGas is familiar with, and the special exception will fully comply with, all applicable regulations. Specifically, section 58 of the NFPA Liquefied Petroleum Gas Code, requires automatic shutdown valves and remote shutdown capabilities, which are part of the proposed special exception. Section 58 also requires that 30,000 gallon propane tanks be spaced 5 feet from one another and 50 feet from any buildings, with which the special exception application is fully compliant.

In addition, the Applicant will submit an emergency response and evacuation plan to local Fire-Rescue personnel, work with them on that plan, and invite them to the site (once completed) for safety training and preparedness planning.

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STORMWATER MANAGEMENT

COMMENT: The subject property is located in the Bull Run watershed and drains to the Occoquan Reservoir, a drinking water supply. Currently, there does not appear to be a stormwater management (SWM)/best management practice (BMP) facility that stores and treats runoff from the site prior to discharging to the major floodplain. The proposed facility includes the installation of a concrete slab which will increase stormwater runoff. Additionally, the regular truck activity to and from this facility has the potential to release hydrocarbons at the site. The Revised General Plan states that major water resource issues for the County include protecting groundwater and surface water (i.e., streams and wetlands) from contamination and pollution as well as preventing the degradation of water quality in watersheds (Revised General Plan, Chapter 5, Surface and Groundwater text).

Committing to enhanced measures is particularly important given that the site is upstream of the Cub Run Stream Conservation Unit, which is considered to be a highly significant conservation site. According to the submitted letter from DCR, the natural heritage resource of concern associated with this conservation unit is the wood turtle (Glyptemys insculpta) which is classified as a threatened species. Plan policies state that development applications with the likelihood of impacting one or more natural heritage resources will conduct a species assessment and develop a plan for impact avoidance if the presence of a natural heritage resource is identified (Revised General Plan, Chapter 5, Plant and Wildlife Habitat Policy 8). DCR recommended the implementation of and strict adherence to applicable state and local erosion and sediment control/stormwater management laws and regulations to minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities.

Staff recommends that on-site water quality treatment be provided to help protect the Bull Run watershed and the Cub Run Stream Conservation Unit.

RESPONSE: The Applicant acknowledges Staff's comments. The Applicant has responded to Staff's concerns about stormwater runoff by correcting the actual size of the proposed concrete pads, removing some of the gravel areas around the propane tanks and replacing them with green grass, as indicated on the revised plat, submitted herewith. These changes should reduce the amount of impervious area thereby actually decreasing stormwater runoff leaving the site from current levels. Stormwater management and/or best management practices for new development shall be in accordance with the current Facilities Standards Manual (see note 7 on plat sheet 2).

SITE DESIGN

COMMENT: The Plan envisions that general industrial areas will be designed with a park-like atmosphere to complement surrounding land uses by means of appropriate arrangement of buildings and service areas, attractive architecture, and effective landscape buffering. Site planning within a general industrial development should provide for safe, compact, and harmonious groupings of uses, facilities, and

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outdoor spaces. Yards, fences, walls or vegetative screening should be provided at the edges where needed to minimize any undesirable view, lighting, noise or other off-site influences from the street and to protect residents of adjoining residential neighborhoods (*Revised General Plan*, *Chapter 11*, *General Industrial Design Guidelines*).

The subject site is located in an existing industrial park and surrounded by other industrial uses (see pictures below). Although the Revised 1993 Loudoun County Zoning Ordinance does not require any landscaped buffers for the proposed use, the application proposes a row of evergreen trees along the southern side of the chainlink fence facing Wade Drive. While the Plan's screening and buffering policies for proposed industrial uses generally focus on mitigating impacts on adjacent roads and non-industrial areas including residential and business uses, the Plan specifically calls for the use of landscaping as buffers to break up monotonous parking surfaces, structural walls, and storage areas to enhance the aesthetic quality of General Industrial areas (Revised General Plan, Chapter 6, General Industrial Use Policies, Policies 2, 6, 9 and 10; Chapter 11, General Industry Design Guidelines). Given that no other landscaping currently exists on the subject property, staff encourages the Applicant to provide additional plantings adjacent to the proposed Special Exception area.

Staff encourages the Applicant to provide additional landscaping along the property's boundaries to enhance the aesthetic quality of the subject property. Staff further recommends a condition to ensure the landscaped areas will be maintained for the life of the project. The use of native plant and tree species is encouraged.

RESPONSE: The Applicant acknowledges Staff's comments. Additional tree canopy coverage will be added prior to side plan review.

RECOMMENDATIONS

COMMENT: The proposed propane storage and distribution facility is consistent with the land use policies of the <u>Revised General Plan</u>. Staff will be able to recommend approval of the Special Exception application once the issues raised above are adequately addressed and appropriate conditions of approval are developed.

RESPONSE: The Applicant acknowledges Staff's comment.

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Metropolitan Washington Airports Authority Letter dated May 22, 2009 from Mike Hines, Project Manager, Airport/Airspace Planning

COMMENT: We have reviewed the Special Exception application for the proposed AmeriGas propane storage and distribution facility located on the south side of Washington Dulles International Airport at 44180 Wade Dr., in Chantilly, VA. The Metropolitan Washington Airports Authority takes no issue with the proposal and has no objection to a Special Exception by the County.

RESPONSE: No response required.

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Office of Transportation Services Memorandum dated May 26, 2009 from Norah M. Ocel, Transportation Engineer

Background

The applicant/owner, Stephen Stecklein/Dulles South Properties, LLC, is requesting approval of a Special Exception to allow the installation of two 30,000 gallon storage tanks for distribution and storage of propane gas in the Mineral Resource-Heavy Industry (MR-HI) zoning district. The applicant has submitted a plat, dated February 3, 2009, prepared by William H. Gordon Associates, Inc., a statement of justification and a traffic statement with the Traffic Study Guidelines checklist, dated 3/30/09, from William H. Gordon Associates, Inc.

The surrounding land uses are: to the North, South, East and West: Mineral Resources-Heavy Industry (MR-HI).

The Office of Transportation Services' (OTS) review of existing and planned transportation facilities is based on the 2001 Revised Countywide Transportation Plan (CTP), the Land Subdivision and Development Ordinance (LSDO) and the Facilities Standard Manual (FSM).

Existing, Planned and Programmed Roads

The site has access to Wade Drive, which is a paved two-lane local road facility with gravel shoulders along this parcel. The travel lanes on Wade Drive are 11-12 feet in width.

According to the Applicant, the expected number of monthly trips to/from the proposed site is between 6 and 94 trips. The 2007 VDOT Daily Traffic Volume Estimates Report shows Wade Drive currently carries 180 vehicles a day.

According to the Countywide Transportation Plan (CTP page AI-11), Wade Drive will become the Route 50 North Collector Road, which is planned to be a local access four-lane undivided urban collector within a 70-foot right-of-way. Left-turn and right-turn lanes are required at major intersections.

Transportation Comments

COMMENT 1. According to the CTP, the planned Route 50 North Collector road will require 70-feet of right-of-way. The applicant needs to provide 35-feet of right of way from the centerline to the property line. In addition, the applicant needs to provide all necessary construction related easements including drainage, utility, and grading.

RESPONSE: The Applicant has generously agreed to grant the county a 5' dedication of its property along Wade Drive, as well as related construction easements, in order to accommodate the Countywide Transportation Plan.

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COMMENT 2. Currently there are three entrances to the site. The existing entrances are 80 to 120 feet apart from each other. OTS considers so many entrances are/will be potential points of traffic conflict when Wade Drive becomes the Route 50 North Collector. The applicant needs to consider having two entrances while having an efficient internal traffic movement pattern. Please show the internal traffic movement pattern and consider the elimination of one of the entrances.

RESPONSE: The internal traffic movement pattern is now shown on the revised plat, submitted herewith. All three entrances have been accepted by VDOT and are necessary for safe traffic movement to and from Wade Drive.

Department of Fire, Rescue and Emergency Management Memorandum dated May 27, 2009 from Maria Figueroa Taylor, Fire-Rescue Planner

Thank you for the opportunity to review the above captioned application to install two 30,000 gallon storage tanks for distribution of propane gas in the MR-HI zoning district.

The Fire-Rescue GIS and Mapping coordinator offered the following information

regarding estimated response times:

PIN	Project name	Dulles South Public Safety Center Station 19 Travel Time
097-40-7676	Dulles Industrial Park	4 minutes, 56 seconds

The Travel Times for each project were calculated using ArcGIS and Network Analyst extension to calculate the travel time in minutes. To get the total response time another two minutes were added to account for dispatching and turnout. This assumes that the station is staffed at the time of the call. If the station is unoccupied another one to three minutes should be added.

Project name	Station 19 Response Times
Dulles Industrial Park	6 minutes, 56 seconds

COMMENT 1. The Fire and Rescue Planning Staff requests further information regarding the proposed fire control measures, monitoring systems, safety operations and plans to provide water supply for firefighting purposes.

RESPONSE: Public water was recently extended to the portions of Wade Drive adjacent to the Applicant's parcel, and the County has installed two fire hydrants adjacent to Applicant's parcel, which are reflected on the revised plan, submitted herewith. In addition, the proposed AmeriGas tanks will contain upgraded pneumatic actuator valves that automatically shut off the flow of gas if any leak is detected and will immediately notify AmeriGas of the leak. Furthermore, all AmeriGas employees and drivers receive mandatory safety training, and the tanks will be surrounded by appropriate safety signage, including emergency procedures.

The Applicant's parcel is located in a heavily industrial area with no residential properties in proximity. In fact, given that the property is located within the Ldn contour of the Airport Impact Overlay District, no residential uses could ever be developed on or

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near the Applicant's property. In addition, the proposed propane tanks are constructed with 1½" thick steel walls with a pressure release valve 12' above the top of the tanks. Given the tanks' design, in the extremely unlikely event that the propane—which is stored at negative 40°—were to rise in temperature to the point of ignition, the flames would be released through the pressure lease valve like a smoke-stack, and could never result in any sort of explosion or spread to adjacent parcels. Finally, Applicant will submit an emergency response and evacuation plan to local Fire-Rescue personnel, work with them on that plan, and invite them to the site (once completed) for safety training and preparedness planning.

COMMENT 2. In addition, staff requests that an emergency response and evacuation plan be developed and reviewed by Fire-Rescue personnel prior to occupancy of the building. A site visit would assist first responders with pre-planning their response to emergencies on the site.

RESPONSE: No response required. The Applicant notes that AmeriGas is more than willing to work with Fire-Rescue personnel on their emergency response and evacuation plan and also to welcome local first responders to the site for emergency planning.

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Virginia Department of Transportation Letter dated June 2, 2009 from John Bassett, Transportation Engineer

We have reviewed the above noted application as requested in your April 23, 2009 transmittal. We offer the following comment:

COMMENT. The Loudoun *Countywide Transportation Plan (CTP)* calls for this section of Wade Drive (Route 873) to become a major collector (Route 50 North Collector Road) with 4-lanes (U4) in a 70' right of way. As there is currently an existing 60' right of way section, we recommend this applicant dedicate an additional 5' (or 35' from centerline) along this site's Wade Drive frontage to comply with the *CTP*.

RESPONSE: The Applicant has generously agreed to grant the county a 5' dedication of its property along Wade Drive to accommodate the Countywide Transportation Plan.

SPECIAL EXCEPTION PLAT

DULLES INDUSTRIAL PARK SOUTH LOT 1

SPEX 2009-0006

DULLES ELECTION DISTRICT LOUDOUN COUNTY, VIRGINIA

OWNER/APPLICANT

DULLES SOUTH PROPERTIES, LLC 4622 42ND PLACE HYATTSVILLE, MD 20781-2208 301.230.5800



Engineers Land Planners-Landscape Architects-Surveyors William H. Gordon Associates, Inc.

44084 Riverside Parkway, Suite 100 Leesburg, Virginia 20176 (703) 729-9009

PROJECT MANAGER: ROY CLARK

DATE ISSUED: FEBRUARY 3, 2009

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LIST OF DRAWINGS

1. COVER SHEET
2. EXISTING CONDITIONS PLAT
3. SPECIAL EXCEPTION PLAT

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